United Nations A/HRC/29/5

General Assembly

Distr.: General
13 April 2015

Original: English

Human Rights Council
Twenty-ninth session
Agenda item 6
Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Kiribati

* The annex to the present report is circulated as received.

GE.15-07612 (E)
1507612

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twenty-first session from 19 to 30 January 2015. The review of Kiribati was held at the 2nd meeting on 19 January 2015. The delegation of Kiribati was headed by the Minister for Women, Youth and Social Affairs, Tangariki Reete. At its 10th meeting, held on 23 January 2015, the Working Group adopted the report on Kiribati.

2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Kiribati: Ireland, Kenya and Viet Nam.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Kiribati:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/21/KIR/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/21/KIR/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/21/KIR/3).

4. A list of questions prepared in advance by Germany, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland was transmitted to Kiribati through the troika. These questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation of Kiribati, Tangariki Reete, first expressed Kiribati's gratitude for the support provided by all the stakeholders involved in the preparation of the country's second national report under the UPR, in particular, the OHCHR Regional Office for the Pacific in Fiji, United Nations agencies in the Pacific region, the Secretariat of the Pacific Community through the Regional Rights Resource Team, and the Commonwealth Small States Office in Geneva.

6. In 2010, when Kiribati had presented its first UPR report, it was clear that a lot of development would be required to meet its international obligations relating to human rights. Four years later, Kiribati had fulfilled many of the international requirements included in the recommendations. During its first review Kiribati had received 83 recommendations, out of which 42 had been accepted, 11 had not been supported and 30 were to be considered in due process. Kiribati informed the Working Group of the significant progress achieved so far in meeting those commitments.

7. Work on the follow-up of the first review had involved relevant ministries, civil society and faith-based organizations in the implementation of the recommendations, prior to establishment of the Kiribati National Human Rights Taskforce in 2014. The task force had led the national preparation for the country's second UPR and had considered submissions from all stakeholders, who had also participated in the consultation process.

8. The second UPR report included information on the progress and continued commitment of the Government of Kiribati, and emphasized the achievements since the review in 2010 in relation to mainstreaming human rights into the formal machinery of the Government through the following:

(a) Commitment to human rights and related international conventions;

(b) Legislative and policy reforms;

(c) Creation of a human rights task force;

(d) Awareness programmes on human rights;

(e) National Development Plan (known as the Kiribati Development Plan);

(f) Child labour policy;

(g) Human rights special procedures;

(h) Gender and inequality policies;

(i) Health, education and environment programmes.

9. Kiribati had been addressing treaty obligations with a view to incorporating human rights principles into its national legislation. The following legislation had been passed by the Parliament of Kiribati since the country's first review in 2010:

(a) Children, Young People and Family Welfare Act (2013);

(b) Education Act (2013);

(c) Amendment of the Constitution to establish the Ministry of Women, Youth and Social Affairs;

(d) Te Rau N Te Mweenga (Family Peace Act) (2014).

10. Other developments that had been achieved in protecting and supporting human rights included the following:

(a) Progress in the area of eliminating sexual and gender-based violence, following the alarming results of the Kiribati Family Health and Support Study, which had been completed in 2008. The study had highlighted the need for urgent action, resulting in a very strong political call and national commitment to eliminate violence against women and girls;

(b) A targeted programme had been set up to coordinate programmes on eliminating sexual and gender-based violence. Technical and financial assistance from various donors and development partners, including Australia, New Zealand, Turkey, Taiwan Province of China, the United Nations Entity for Gender Equality and the Empowerment of Women, the United Nations Population Fund, the United Nations Children's Fund, the Pacific Islands Forum Secretariat, the Secretariat of the Pacific Community and the World Bank, had assisted in the implementation of those programmes;

(c) In 2010, the Government of Kiribati had endorsed the National Approach to Eliminating Sexual and Gender Based Violence: Policy and Strategic Action Plan (2011–2021), which had led to a wide range of activities and changes, including the passing of Te Rau N Te Mweenga (Family Peace Act 2014), male advocacy programmes, initiatives for adolescent girls and collaborative work with key ministries and civil society organizations in mainstreaming the elimination of sexual and gender-based violence into their programmes and building their capacities;

(d) The Kiribati Shared Implementation Plan, an overarching plan that had been endorsed in 2014 by the Cabinet, and the joint plan with the United Nations, which was

currently being finalized, were part of the implementation of the National Approach to Eliminating Sexual and Gender Based Violence: Policy and Strategic Action Plan;

(e) SafeNet, a committee that comprised government ministries, non-governmental organizations (NGOs) and faith-based organizations providing front-line services to victims of domestic violence, had also been established in most islands of Kiribati. Organizations referred cases to appropriate authorities and shared information and data. In 2014, a gender project funded by the World Bank had been set up to manage, coordinate and improve access to domestic violence services;

(f) Kiribati was a member of the Pacific Islands Forum Reference Group to Address Sexual and Gender Based Violence. A socioeconomic impact costing of violence against women had been conducted in 2014, and a report on the matter was currently being finalized;

(g) The Children, Young People and Family Welfare Policy, aimed at protecting children against abuse, violence, neglect and exploitation, ensured that the best interests of children and families were fulfilled;

(h) An inclusive education policy had been developed with a view to supporting:

(i) Provisions of a flexible curriculum;

(ii) Training of teachers to deliver educational programmes and implement strategies;

(iii) Compulsory education for all school-aged children (at the levels of primary and junior secondary), including children with special needs;

(iv) Recognition of the role of parents/caregivers in all stages of their child's education.

11. Kiribati had also undergone a gender stocktaking exercise, conducted in September 2013 through the assistance of the Secretariat of the Pacific Community. Recommended strategic action emerging from the stocktaking included action to strengthen the capacity for data collection and gender analysis of data, to improve accountability and to facilitate the monitoring of the effectiveness of gender mainstreaming. The Gender Equality and Women's Development Policy had been reviewed: priorities were to create an enabling environment for gender mainstreaming, improve political representation and leadership, empower women economically, support stronger, informed families, and eliminate sexual and gender-based violence.

12. The Government had ratified the Convention on the Rights of Persons with Disabilities in 2013, and had drafted a national disability policy that would ultimately provide a national framework to guide all stakeholders and communities in improving the lives of persons with disabilities, dismantling the barriers in society and raising awareness. Under the Building Act 2006, the Building Code had been formulated, by way of regulations, to accommodate persons with disabilities and provide them with more access to buildings and infrastructure. A workshop had been held with all mayors in Kiribati, while Te Toa Matoa, an NGO serving as a disabled persons' organization, had carried out awareness-raising programmes in islands in Kiribati.

13. The development of the Kiribati Health Strategic Plan (2012–2015) had set the overall framework for action on health. The plan had been shaped by an assessment that had examined the health needs of the I-Kiribati population and the ability of the health system to respond to those needs.

14. The Kiribati Integrated Environment Policy had been approved in 2012 and publicly launched in 2013. The Policy identified national environment priorities under five thematic

areas — climate change, biodiversity, waste management and pollution control, resource management and environmental governance — and sought to keep the Government and donors abreast of the environment priorities that needed to be addressed at the national level. The policy was also aimed at protecting and managing the environment and promoted the resilience of the peoples of Kiribati against the impacts of climate change.

15. The Kiribati Joint Implementation Plan for Climate Change and Disaster Risk Management had been designed to complement the National Disaster Risk Management Plan and the National Framework for Climate Change and Climate Change Adaptation. The Kiribati Joint Implementation Plan respected and promoted human rights by ensuring that all I-Kiribati had increased access to food security, safe water security and land security, taking into account the current and future threats of climate change and disasters such as sea-level rise and drought.

16. Efforts had been made to establish systems for mainstreaming human rights into the work of all ministries and departments that administered and implemented national laws, including the Constitution. For example, the Kiribati National Human Rights Taskforce had been set up in July 2014, and a human rights unit had been included within the Ministry for Women, Youth and Social Affairs, effective from 2015.

17. The delegation stated that the commitment of Kiribati to addressing and increasing the promotion and protection of human rights was entrenched in the country's own traditional system. Kiribati was blessed with strong, age-old traditional and cultural institutions that safeguarded the basic human rights of its people and communities. The Ministry of Women, Youth and Social Affairs, through its Women's Development Division and Social Welfare Division, had conducted awareness-raising and consultations on human rights conventions in collaboration with regional and international organizations. During the period 2013–2014, human rights training on the Convention on the Elimination of All Forms of Discrimination against Women and eliminating sexual and gender-based violence had been conducted on 20 of the 22 inhabited islands of Kiribati. A direct outcome of the initiative had been the creation of a pool of human rights defenders and male advocates throughout Kiribati.

18. Child protection legislation had been reformed through a common effort by the Government and all stakeholders. A technical working group, established in 2010, continued to work with representatives from NGOs and faith-based organizations. Awareness-raising programmes on the Children, Young People and Family Welfare Act and policy had been conducted in nine islands, including the capital, Tarawa, where over 50 per cent of the population — more than 50,000 people — resided. The other islands in the country would be visited in 2015. Under section 18, subsections 1 and 2, of the Children, Young People and Family Welfare Act 2013, any person was mandated to report concerns to the police and welfare officers about the well-being of a child or young person, including children undergoing and suffering from corporal punishment both in the community and in schools. During the consultations on that legislation and the related policy, community members had been trained to become child protection advocates.

19. The Youth Justice Bill was being drafted and the final version would be submitted to the Cabinet by the end of March 2015.

20. The Kiribati National Human Rights Taskforce had been working on pending reports for the Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Rights of the Child (CRC). It aimed at submitting the consolidated initial and second and third periodic reports to CEDAW in April 2015. The consolidated second to fourth periodic reports for CRC would be submitted in June 2015. The task force would also compile and submit the initial report for the Committee on the Rights of Persons with Disabilities by the due date in 2015. The recent creation of the

Ministry of Women, Youth and Social Affairs and the establishment of the Human Rights Taskforce and Human Rights Unit had placed Kiribati in a better position to advance its work on human rights and, in particular, speed up the process of preparing and submitting future periodic reports to relevant committees.

21. Kiribati would continue to work in cooperation with OHCHR and to seek support from United Nations agencies, regional bodies and development partners in building national capacity, training and exchanging human rights expertise and experiences with other Pacific island countries.

22. Kiribati had also been making progress in achieving internationally set goals, such as the Millennium Development Goals, despite various challenges, such as isolation, overpopulation and lack of data and access to rights and services.

23. The smallness of the islands and their geographic dispersion across a large ocean area made access to services, including the exorbitant cost of replicating those services, a major challenge. Further support was required in building local capacity and strengthening and resourcing existing structures and bodies that played a key role in human rights implementation and reporting.

24. In its national report, Kiribati had highlighted that the major challenge it faced was climate change. As a nation of low-lying islands, with an average elevation of only 2 metres above sea level, climate change and the resultant sea-level rise had added new and major challenges for Kiribati, including loss of territory, severe coastal erosion and involuntary displacement of communities, affecting food and water security. More importantly, it had become an issue of survival for the people of Kiribati.

25. Kiribati welcomed the upcoming full-day discussion on human rights and climate change scheduled for 6 March 2015, during the twenty-eighth session of the Human Rights Council. It encouraged small States to take that opportunity to share their views on challenges and best practices in addressing the adverse effects of climate change and human rights. Kiribati called upon the international community to continue to support the increased participation of small States, in particular those that did not have representation in Geneva, in the discussions on those important issues taking place during the sessions of the Human Rights Council.

26. Kiribati strongly believed that it was absolutely essential to address the challenges faced by low-lying nations due to climate change and the way in which climate change was affecting the very basic human right of Kiribati people to survive as a distinct culture, and to enjoy basic rights, such as access to clean drinking water and to food.

27. The Government of Kiribati had been doing its best to face the situation; it had been buying land offshore, focusing on education and upskilling people to prepare them to be able to "migrate with dignity" when the islands of Kiribati were no longer habitable. Kiribati had also initiated a coalition of the nations most vulnerable to climate change: the Coalition of Low-lying Atoll Nations on Climate Change.

28. Kiribati welcomed and appreciated assistance from development partners, but much more needed to be done.

29. Climate change and sea-level rise were global problems. Kiribati was on the front line, together with other low-lying countries, such as Maldives, the Marshall Islands and Tuvalu, as well as areas such as Tokelau, but so were the scores of millions of people in the Pacific region and around the world living in low-lying coastal cities, towns and village communities. Kiribati called for urgent regional and global action to help island States living in the same dangerous conditions as Kiribati.

30. The Government was strongly committed to upholding and ensuring human rights for its people; the delegation took careful note of the comments made during the UPR session, and Kiribati would continue to work hard in meeting its human rights obligations. However, the UPR process would amount to nothing if the major challenges posing serious threats to the basic human right of Kiribati people to survive were not also addressed in human rights bodies such as the Working Group on the Universal Periodic Review. Climate change was the number one challenge.

31. The Working Group on the Universal Periodic Review and the Human Rights Council needed to focus and catalyse global action to address that major challenge to the right to survive, not only for Kiribati but for the global community, as they had done so well in respect of the rights of individuals, women's rights, gender equality, the rights of the child, the rights of the disabled, and freedom of speech, worship and association.

B. Interactive dialogue and responses by the State under review

32. During the interactive dialogue, 44 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

33. Estonia noted with appreciation that Kiribati had taken steps to implement the previous recommendations. Estonia invited Kiribati to guarantee access to public information and ensure that journalists and media workers could operate without fearing reprisals. It encouraged Kiribati to continue efforts to become a party to all of the main international human rights instruments and to issue a standing invitation to special procedures. Estonia made recommendations.

34. France encouraged Kiribati to mobilize to promote the universal abolition of the death penalty. It also encouraged Kiribati to accede to those international instruments to which Kiribati was not a party. France welcomed the drawing up of the national action plan on eliminating sexual and gender-based violence, and encouraged Kiribati to fully implement the plan. France made recommendations.

35. Germany commended the efforts of Kiribati to further strengthen human rights protection and implement the recommendations of the first UPR cycle. It expressed appreciation for the establishment of a dedicated task force on human rights and the adoption and elaboration of legislation and policies to counter domestic violence and protect the rights of children. Germany made recommendations.

36. Ghana noted the legislative measures taken by Kiribati to incorporate human rights principles into its national legislation and applauded the acts and policy measures enacted to improve education and the welfare of the family. It commended Kiribati for taking measures to address sexual and gender-based violence, promote the participation of women in politics and increase the number of women recruited into the Kiribati Police Service. Ghana made recommendations.

37. Indonesia noted with appreciation efforts taken by Kiribati to promote and protect the human rights of its citizens. It also noted with appreciation the ratification of the Convention on the Rights of Persons with Disabilities in 2013, and that Kiribati was considering ratifying or acceding to other human rights instruments. Indonesia further noted efforts by Kiribati to reduce maternal and infant mortality. It made recommendations.

38. Ireland commended the country's legislative reform in the field of children's rights. It welcomed the work undertaken to implement the national action plan to eliminate sexual and gender-based violence. However, it remained concerned at the high level of such violence. Ireland recognized the extreme challenges faced owing to the effects of climate

change, and commended the establishment of national climate change institutions. Ireland made recommendations.

39. Israel commended Kiribati for incorporating human rights principles into national legislation. It celebrated the initiative to formulate a national policy and a plan of action to combat gender-based violence. It welcomed the willingness of Kiribati to consider a constitutional amendment to expand the prohibited grounds of discrimination. Israel made recommendations.

40. Italy welcomed the commitment of Kiribati in the field of human rights and commended the actions taken so far. It also welcomed the measures taken to address gender-based violence and promote women's rights. It encouraged Kiribati to refrain from any proposal or plan to reintroduce the death penalty. Italy made recommendations.

41. Kenya commended the achievements of Kiribati in fulfilling its human rights commitments arising from previous recommendations. It welcomed the recent legislation to criminalize domestic violence and provide for the safety and protection of its victims. Kenya made a recommendation.

42. Maldives commended Kiribati on its efforts in ratifying the Convention on the Rights of Persons with Disabilities and criminalizing domestic violence. It also applauded initiatives to address climate change. Maldives urged Kiribati to address its issues of development through a "sustainable means" lens, with a focus on climate change adaptation and disaster reduction. Maldives made recommendations.

43. Mexico commended Kiribati for the progress achieved since the first UPR cycle, which reflected its commitment to the promotion and protection of human rights and the willingness to cooperate with international mechanisms. Mexico also commended efforts made in terms of education, in particular the establishment of an inclusive education policy to ensure that boys and girls completed their primary-level education. Mexico made recommendations.

44. Montenegro recognized the efforts made by Kiribati to improve the institutional and legislative framework for human rights. It expressed hope that the National Approach to Eliminating Sexual and Gender Based Violence would help to address that issue effectively. Montenegro noted that there were several international human rights treaties to which Kiribati was not a party, while the reports on the implementation of the conventions it had ratified were overdue. It encouraged Kiribati to seek and use technical assistance in order to strengthen its national capacities and fulfil its reporting obligations. Montenegro made recommendations.

45. Namibia commended Kiribati for the Children, Young People and Family Welfare Act 2013, the Education Act 2013, the establishment of the Ministry of Women, Youth and Social Affairs and the National Approach to Eliminating Sexual and Gender Based Violence: Policy and Strategic Action Plan 2011–2021. Namibia made recommendations.

46. The Netherlands expressed appreciation that Kiribati had improved its environmental legislation, but stressed that more was needed to ensure that the population could fully enjoy its basic rights. It was concerned about the high rate of violence and sexual offences against women and children, and said it would welcome ratification by Kiribati of the Rome Statute of the International Criminal Court. The Netherlands made recommendations.

47. New Zealand congratulated Kiribati on introducing legislation to criminalize domestic violence, sharing the concern of Kiribati about its continued high levels. It welcomed the country's decision to oppose any introduction of the death penalty. It noted that Kiribati had yet to finalize its periodic reports to CEDAW. New Zealand made recommendations.

48. The Philippines commended Kiribati for implementing its previous recommendations, noted progress in protecting the rights of women and children, welcomed the Education Act and enquired about human rights education programmes in school curricula. It wished Kiribati success in formulating a national disability policy and commended the establishment of climate change institutions and committees. The Philippines made recommendations.

49. Portugal welcomed the ratification by Kiribati of the Convention on the Rights of Persons with Disabilities, and its adoption of the Integrated Environment Policy and the Joint Implementation Plan for Climate Change and Disaster Risk Management. It enquired about how principles such as non-discrimination and gender participation were integrated into those policies. Portugal made recommendations.

50. Sierra Leone commended measures and policies related to sexual and gender-based violence, children and young people, women and disability, the National Development Plan and the inclusion of reproductive health in national strategies. It encouraged Kiribati to establish a national human rights institution in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) and submit its outstanding reports to human rights treaty bodies. Sierra Leone made recommendations.

51. Singapore commended the commitment of Kiribati to promoting and upholding human rights. It took positive note of the country's commitment to tackle gender-based violence and its efforts to increase access to health and medical services. It was supportive of the efforts made by Kiribati to raise education standards. Singapore made recommendations.

52. Slovenia recalled its first-cycle recommendations on the ratification of human rights treaties and prohibition of corporal punishment. It welcomed efforts made by Kiribati to incorporate human rights principles into its legislation and enquired about the rejection of sex and gender as prohibited grounds for discrimination in the Constitution. It welcomed efforts to improve access to education. Slovenia made recommendations.

53. The delegation of Kiribati responded to questions raised in advance. Kiribati intended to apply to the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights for accreditation of the Kiribati National Human Rights Taskforce. The Constitution of Kiribati prohibited discrimination, and the delegation referred to the services provided to people with disabilities. Kiribati had involved civil society in the UPR process.

54. Kiribati had ratified the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, and had withdrawn its reservations to the Convention on the Rights of the Child. It would accede to the latter's first two optional protocols and was considering ratifying the remaining human rights instruments. No cases had been prosecuted under the Family Peace Act. The goal of the Male Advocates Programme, in which 110 men had participated, was to increase the involvement of men in advocating human rights and addressing domestic violence. Kiribati worked to ensure that all children attended primary school. It would provide statistical data on that in June.

55. Kiribati would extend a standing invitation to the special procedures. It listed the measures taken to implement the Family Peace Act and the National Approach to Eliminating Sexual and Gender Based Violence and to meet the outstanding reporting requirements for CEDAW and CRC.

56. Kiribati would not be reintroducing the death penalty.

57. The delegation acknowledged the comments that had been raised in relation to climate change, and reiterated that it was a major challenge that heightened the existing challenges that Kiribati faced in meeting its human rights obligations. The delegation thanked those who had commented on the need for stronger global action and support for countries like Kiribati in meeting the urgent challenges that were resulting from climate change. It called on the international community to recognize the urgency of responding to those who were on the front line now.

58. Solomon Islands commended efforts in implementing recommendations and the establishment of the Ministry of Women, Youth and Social Affairs and the Kiribati National Human Rights Taskforce. It noted the progress made in drafting policies, enquired about the Male Advocates Programme and encouraged Kiribati to seek international assistance. Solomon Islands made recommendations.

59. South Africa commended the efforts made by Kiribati in implementing recommendations and commitments from the previous review. It noted the progress in the realization of the Millennium Development Goal target on hunger, and encouraged Kiribati to continue the promotion, protection and fulfilment of all human rights, including the right to development. South Africa made recommendations.

60. Spain highlighted the progress made in combating gender discrimination. It recalled its 2010 recommendation on strengthening the protection of women and ensuring equal opportunities. It stated that Kiribati had made efforts to protect the rights of persons with disabilities. Spain made recommendations.

61. Sri Lanka noted positive developments, including policy initiatives to secure the rights of children and women, inclusive education and the establishment of the Kiribati National Human Rights Taskforce. It urged the international community to provide Kiribati with technical assistance to enhance the capacity of the task force. Sri Lanka made recommendations.

62. Sweden referred to a proposal to amend the Penal Code to reinstate the death penalty. It stated that corporal punishment was lawful within the day-care system and that article 226 of the Penal Code permitted the administration of "reasonable punishment". Sweden made recommendations.

63. Thailand commended Kiribati on its ratification of the Convention on the Rights of Persons with Disabilities, the establishment of the National Human Rights Taskforce and national legislative acts on the rights of women and children. It expressed its belief that the implementation of a universal health coverage scheme would be useful, and offered to share its experience. Thailand made recommendations.

64. Timor-Leste noted with appreciation the withdrawal of all reservations to the Convention on the Rights of the Child and the adoption of the Education Act 2013. It remained concerned about the high percentage of children who did not attend primary school, and in particular that pregnant girls were not allowed to attend school. Timor-Leste made recommendations.

65. Trinidad and Tobago noted positively that Kiribati had approved its environmental policy, and noted the action taken to preserve the country's first United Nations Educational, Scientific and Cultural Organization World Heritage Site. It highlighted recent legislation to criminalize domestic violence. It noted the ratification of the Convention on the Rights of Persons with Disabilities and that a national policy was being drafted on the subject. Trinidad and Tobago made recommendations.

66. The United Kingdom of Great Britain and Northern Ireland welcomed measures to combat gender-based violence, in particular the criminalization of domestic violence through the Family Peace Act 2014 and the establishment of the Ministry of Women, Youth

and Social Affairs. Concerned that levels of sexual and gender-based violence remained high, the United Kingdom encouraged Kiribati to quickly finalize the Family Peace Act implementation plan and to ensure that perpetrators of domestic violence were prosecuted. The United Kingdom made recommendations.

67. The United States of America recognized that Kiribati had made advances in eliminating the worst forms of child labour by passing the Children, Young People and Family Welfare Act, and welcomed efforts to address human rights abuses in the country's vast territory. Additional government efforts were needed to raise awareness and enforce that law, as allegations of commercial sexual exploitation of children remained. The United States made recommendations.

68. Uruguay welcomed the creation of the national human rights working group, which, among other tasks, would coordinate the preparation and submission of reports to treaty bodies. Uruguay also welcomed the adoption of the national approach to eliminate sexual and gender-based violence. It noted with emphasis the country's accession to the Convention on the Rights of Persons with Disabilities and encouraged its accession to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Uruguay made recommendations.

69. The Bolivarian Republic of Venezuela welcomed the implementation of the Children, Young People and Family Welfare Act and the Education Act and the creation of the Ministry of Women, Youth and Social Affairs. It highlighted the launch of the 2012–2015 development plan, designed to guarantee social protection and gender equality. The Bolivarian Republic of Venezuela made recommendations.

70. Algeria welcomed the ratification of the Convention on the Rights of Persons with Disabilities in 2013, and praised the efforts to elaborate an inclusive education policy and implement a strategic plan on health. Algeria made recommendations.

71. Argentina congratulated Kiribati on its accession to the Convention on the Rights of Persons with Disabilities and encouraged it to ratify the Optional Protocol to the Convention, on individual communications. It welcomed the implementation of laws relating to children, young people and family welfare, with regard to assistance and social services. Argentina made recommendations.

72. Armenia welcomed the readiness of Kiribati to accede to international human rights instruments to which it was not yet a party. Armenia attached particular importance to the ratification of the Convention on the Prevention and Punishment of the Crime of Genocide. It noted with satisfaction that people in Kiribati had free access to medical services. Armenia made recommendations.

73. Australia acknowledged the country's ratification of the Convention on the Rights of Persons with Disabilities, and was encouraged by the efforts made by Kiribati towards the finalization of a national policy and action plan on disability. Australia was also encouraged by the recent decision not to introduce the death penalty, but remained concerned about continuing high rates of domestic violence. Australia made recommendations.

74. Brazil noted with appreciation the inclusion in the Constitution of the prohibition of discrimination based on race, colour and national origin and welcomed measures taken in that respect. Brazil also welcomed the interest demonstrated by Kiribati in extending an open invitation to the special procedures of the Human Rights Council, but was concerned at the situation of women and children who were victims of violence and sexual exploitation. Brazil made recommendations.

75. Canada welcomed steps taken to address violence against women and children, including sexual violence. It commended Kiribati for the ratification of the Convention on the Rights of Persons with Disabilities, and asked for additional information concerning the

Government's funding of the school for persons with disabilities. Canada made recommendations.

76. Chile noted with appreciation the implementation of the Children, Young People and Family Welfare Act and the Education Act, the establishment of the Ministry of Women, Youth and Social Affairs, the adoption of the Te Rau N Te Mweenga Act, and the endorsement of the policy on the elimination of sexual and gender-based violence. It highlighted actions taken to reduce the country's vulnerability to climate change. Chile made recommendations.

77. China noted that new legislation and reforms had been introduced to combat sexual violence and promote gender equality and women's development. Other notable progress had been made in the protection of children's rights, public health, quality education and disability. China made recommendations.

78. Costa Rica recognized the Government's efforts to accede to various legal instruments, the measures taken to comply with the submission of reports to treaty bodies and its interest in and commitment to cooperating with the United Nations human rights mechanisms. Costa Rica congratulated Kiribati on the progress it had made in improving women's participation in politics and in decision-making processes. Costa Rica made recommendations.

79. Cuba found encouraging the Government's adoption of laws relating to children, youth and family welfare and education, and the establishment of the Ministry of Women, Youth and Social Affairs. Other significant achievements included the free access to medical services guaranteed by the Government, and the maintenance of international cooperation agreements to continue to improve the provision of assistance to the population. Cuba made a recommendation.

80. Denmark noted that Kiribati, during its first review, had taken note of recommendations to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Denmark stood ready to explore avenues to assist the Government of Kiribati in advancing on that issue, in the context of the Convention against Torture Initiative launched in March 2014 by Denmark and other countries for the universal ratification and implementation of the Convention and the Optional Protocol thereto. Denmark made a recommendation.

81. Fiji congratulated Kiribati on the progress made in activities concerning human rights. It asked what steps had been taken to implement the Pacific platform on disaster risk reduction and how other countries could assist in such implementation. It also asked about the results regarding changing attitudes and gender stereotypes. Fiji made recommendations.

82. The head of the delegation of Kiribati thanked the members of the troika, as well as the member and observer States of the Human Rights Council, for their contributions to the interactive dialogue. Kiribati would take into consideration their comments and recommendations as it moved forward to further strengthen its human rights-related institutional and legal framework.

83. The delegation acknowledged the support of the international community and of the country's key development and regional partners; Kiribati looked forward to continuing that partnership. The delegation reiterated that the greatest challenge remained the adverse effects that climate system changes had on the right of the people of Kiribati to survive: the UPR process would mean nothing if climate change were not addressed as an urgent and major challenge to human rights for all.

II. Conclusions and/or recommendations**

84. **The following recommendations will be examined by Kiribati, which will provide responses in due time, but no later than the twenty-ninth session of the Human Rights Council, taking place in June and July 2015.**

84.1. **Accede and fully align its national legislation with the Rome Statute of the International Criminal Court, and accede to the Agreement on Privileges and Immunities of the Court (Estonia);**

84.2. **Ratify the International Covenant on Civil and Political Rights (ICCPR) and the two optional protocols thereto (Estonia);**

84.3. **Ratify the International Covenant on Civil and Political Rights and its protocols (Montenegro);**

84.4. **Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain);**

84.5. **Ratify the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol and establish a national institution for human rights in accordance with the Paris Principles, seeking international technical cooperation if necessary (Timor-Leste);**

84.6. **Ratify the International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights and its Second Optional Protocol, aiming at the abolition of the death penalty (Argentina);**

84.7. **Sign and ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (France);**

84.8. **Sign and ratify core international human rights instruments, including the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) (Canada);**

84.9. **Take measures to ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Trinidad and Tobago);**

84.10. **Ratify core international human rights conventions — prioritising the International Covenant on Civil and Political Rights and the Convention against Torture (United Kingdom of Great Britain and Northern Ireland);**

84.11. **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana);**

84.12. **Consider ratifying the Rome Statute on the International Criminal Court (Ghana);**

84.13. **Consider ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ghana);**

** The conclusions and recommendations have not been edited.

84.14. **Consider signing and ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia);**

84.15. **Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, as previously recommended (Denmark);**

84.16. **Ratify the Convention against Torture (Algeria);**

84.17. **Sign and ratify those core international human rights instruments to which Kiribati is not yet a party, particularly the ICCPR and its first and second protocols (Italy);**

84.18. **Accede to the Rome Statute of the International Criminal Court and fully implement its provisions (Italy);**

84.19. **Accede to the Rome Statute of the International Criminal Court and implement it into national law (Netherlands);**

84.20. **Ratify the Rome Statute of the International Criminal Court as well as its Agreement on Privileges and Immunities without formulating any reservation (Uruguay);**

84.21. **Accede to the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);**

84.22. **Consider acceding to the remaining core international human rights instruments, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Kenya);**

84.23. **Ratify the major international instruments, including the ICCPR and the ICESCR (Sierra Leone);**

84.24. **Consider accession to the major international human rights instruments which it is not yet a party to, including ICESCR and ICCPR, and the two optional protocols thereto (Namibia);**

84.25. **Ratify the ICESCR as an important tool to give greater effectiveness to the protection of human rights in the context of climate change, as well as the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture (Portugal);**

84.26. **Complete the process of ratification of the two Optional Protocols to the CRC (Algeria);**

84.27. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**

84.28. **Consider taking initial steps towards the ratification of other international human rights instruments that it is not yet a party to (Philippines);**

84.29. **Strengthen efforts on the full and effective implementation of the United Nations human rights conventions that the country acceded to (South Africa);**

84.30. **Devise a national strategy for the ratification of or adhesion to the core international human rights treaties (Costa Rica);**

84.31. **Amend its Constitution to include sex, gender and disability as grounds for non-discrimination (Israel);**

84.32. **Strengthen legal frameworks to effectively eliminate violence against women (Sierra Leone);**

84.33. **Conduct a wider review of its penal code in assessing its effectiveness to address domestic violence cases (New Zealand);**

84.34. **Ensure the appropriate implementation of the Te Rau N Te Mweenga Law from 2014 to combat gender-based violence (Spain);**

84.35. **Ensure the effective implementation of the Family Peace Act to address the issue of domestic violence (Sri Lanka);**

84.36. **Swiftly finalize the Family Peace Act Implementation Plan to ensure the Act is effective in providing protection and redress for victims of domestic violence (United Kingdom of Great Britain and Northern Ireland);**

84.37. **Implement the Family Peace Act (2014) as a matter of priority to address domestic violence (Fiji);**

84.38. **Consider strengthening the independence of the Kiribati National Human Rights Task Force so that it complies with the Paris Principles (Germany);**

84.39. **Ensure that the Child Work Policy complies with human rights obligations and standards (Germany);**

84.40. **Establish an inter-institutional coordination mechanism to promote gender equality and the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (Mexico);**

84.41. **Consider developing Human Rights Indicators, as suggested by the OHCHR, as an instrument that allows for a more precise and coherent evaluation of national human rights policies (Portugal);**

84.42. **Make every effort to finalize policies in the areas of disability, inclusive education, child labor, gender equality and women's development and to progress in achieving measurable results in their implementation within the time frame prior to its next UPR (Solomon Islands);**

84.43. **Continue its work towards the development of a National Disability Policy and a Child Labour Policy (Trinidad and Tobago);**

84.44. **Complete the CEDAW reports before the due date in 2015 (New Zealand);**

84.45. **Speed up formalities for the submission of pending reports to CEDAW (Spain);**

84.46. **Consider issuing standing invitations to all special procedures (Ghana);**

84.47. **Extend standing invitations to all human rights special procedures (Montenegro);**

84.48. **Take all measures necessary to eliminate discrimination against women in all areas, including access to land and employment, as well as economic and political participation (Namibia);**

84.49. **Design a targeted campaign challenging patriarchal attitudes and gender stereotypes (Slovenia);**

84.50. **Decriminalize homosexuality and sign the joint declaration of the United Nations General Assembly of 18 December 2008 regarding human rights, sexual orientation and gender identity (France);**

84.51. **Decriminalize consensual sexual relations between adults of the same sex (Slovenia);**

84.52. **Adopt measures for the decriminalization of consensual same sex sexual relations (Chile)**

84.53. **Introduce legislation to satisfy its commitments on equality and non-discrimination, including as it pertains to same sex relations (Canada);**

84.54. **Adopt legislation prohibiting all forms of discrimination of individuals, based on race, colour of the skin, religion, national or ethnic origin, disability, aesthetic aspect, gender, sexual identity or orientation (Uruguay);**

84.55. **Strengthen the measures aimed at guaranteeing gender equality, in particular with regard to the transfer of Kiribati nationality to the children of Kiribati women born abroad, in compliance with article 9, paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women (Argentina);**

84.56. **Halt any plans to reinstate the death penalty (Sweden);**

84.57. **Establish a formal moratorium on the death penalty, with a view to ratifying the Second Optional Protocol to the ICCPR (Australia);**

84.58. **Implement the National Action Plan Eliminating Sexual and Gender Based Violence and review its laws, policies and practices which perpetuate discrimination against women and girls and their marginalization, in accordance with the Convention on the Elimination of All Forms of Discrimination against Women, to which Kiribati is a party (France);**

84.59. **Take all necessary measures to address domestic violence and sexual harassment as well as social discrimination against women, in accordance with the Convention on the Elimination of All Forms of Discrimination against Women (Italy);**

84.60. **Continue to vigorously implement the National Approach to Eliminating Sexual and Gender Based Violence in Kiribati to ensure the full enjoyment of human rights for all persons, and accede to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Germany);**

84.61. **Continue efforts in the implementation of its National Approach to Eliminating Sexual and Gender Based Violence in Kiribati (South Africa);**

84.62. **Enact legislation to cover all forms of violence against women (including physical, sexual, trafficking, sexual harassment, stalking, psychological and economic), protection orders, ancillary civil orders, criminal process and procedure, evidence laws and police powers (Ireland);**

84.63. **Reinforce its policies and develop specific programs aimed at preventing and effectively responding to domestic violence against women, including cases of rape within the family (Brazil);**

84.64. **Continue to implement initiatives such as a referral network (SafeNet) and pursue preventive measures aimed at reducing the levels of violence against women (Australia);**

84.65. **Strengthen the measures to stop violence against women, including information and awareness-raising programs (Chile);**

84.66. **Continue to take steps to tackle gender-based violence (Singapore);**

84.67. **Keep its commitment and continue to work with partners nationally, regionally and internationally to implement its action plan to promote women's rights and combat violence against women (Israel);**

84.68. **Continue to take concrete measures to prevent violence and sexual offences against women and children and to ensure the prosecution of perpetrators of such violence (Netherlands);**

84.69. **Intensify its efforts in raising awareness within communities and providing additional training for the police and the judiciary to ensure that victims of sexual and gender-based violence receive adequate medical support and legal aid (Thailand);**

84.70. **Pursue preventative measures on domestic violence such as community education and police training (New Zealand);**

84.71. **Undertake further work to ensure that the law is adequate to prosecute cases involving domestic violence and that such laws are properly enforced through, for example, increased police capacity-building and the appointment of female officers (New Zealand);**

84.72. **Repeal the right "to administer reasonable punishment" and clearly prohibit corporal punishment in all settings, including in the home (Sweden);**

84.73. **Continue reinforcing the plans and programs for the eradication of corporal punishment of children in the schools as well as in the home (Chile);**

84.74. **Efficiently combat international trafficking in young women and prosecute the authors of such crimes (France);**

84.75. **Actively conduct education and awareness campaigns on the issue of child prostitution, particularly in well-known meeting places of foreign crew members. These campaigns should make clear that under Kiribati Law, the crime of sex trafficking includes subjecting a child to prostitution even in the absence of transnational movement or the use of force or coercion (United States of America);**

84.76. **Step up the implementation of existing legislation against sexual exploitation of children and adolescents in the country, as well as in its territorial waters, including through raising public awareness on how to prevent and fight this unacceptable practice (Brazil);**

84.77. **Adopt a list of hazardous work activities prohibited for children, and better enforce existing laws to fully protect children from the worst forms of child labour and all forms of sexual exploitation (United States of America);**

84.78. **Establish formal procedures to proactively identify trafficking victims among vulnerable populations and refer them to protective services (United States of America);**

84.79. **Promote and support the participation of women in decision-making at all levels (New Zealand);**

84.80. **Continue policies and programs aiming at the improvement of women's participation in the political life and decision-making processes, including through measures aimed at reserving a quota in positions in the**

Parliament and Administrations for women, following international good practices (Costa Rica);

84.81. **Decriminalize defamation and include it under the Civil Code in accordance with international standards, develop self-regulatory mechanisms of the media and strengthen the professional standards of journalism in the country (Estonia);**

84.82. **Take steps to ensure the availability of adequate food and freedom from hunger for its citizens (Ireland);**

84.83. **Heed the recommendations of the Special Rapporteur on the human right to safe drinking water and sanitation regarding improvements to water and sanitation infrastructure (Slovenia);**

84.84. **Strengthen implementation of the human right to sanitation at the national level as well as the promotion of hygiene (Spain);**

84.85. **Ensure affordable access to water and sanitation, and that the price paid for access to these rights is not incompatible with access to other rights such as food, housing or education (Spain);**

84.86. **Strengthen its legal and institutional frameworks with respect to the implementation of human rights and the right to water and sanitation (Trinidad and Tobago);**

84.87. **Continue consolidating the programs of social protection which are being implemented in order to offer greater well-being and quality of life to its people (Venezuela (Bolivarian Republic of));**

84.88. **Continue the implementation of actions included in the national Development Plan in order to achieve a greater social protection and gender equality (Cuba);**

84.89. **Continue its efforts to reduce the maternal and infant mortality rates (Indonesia);**

84.90. **Urgently take appropriate measures to address high infant and child mortality rates (Maldives);**

84.91. **Adopt sanitation and residual water treatment strategies in order to prevent the high rate of child mortality due to water-related diseases (Mexico);**

84.92. **Continue to improve its health system and ensure access to quality health for all (Singapore);**

84.93. **Improve its public health system, especially to upgrade the existing facilities in both central and local hospitals nationwide, as well as to put in place measures to reduce infant mortality, malnutrition, and epidemics, especially HIV/AIDS (Thailand);**

84.94. **Further promote the right to health in Kiribati, in particular by providing access to essential health-care facilities (Armenia);**

84.95. **Following the enactment of the Education Act (2013), adopt policies and regulations to strengthen access to and quality of education, which is free and compulsory for all school-aged children (Maldives);**

84.96. **Finalize the development of the Inclusive Education Policy giving effect to the right to education of all school-aged children and young persons (South Africa);**

84.97. **Ensure birth registration is available to all its citizens and provide free, inclusive and compulsory education for all children (Sierra Leone);**

84.98. **Continue its efforts to raise education standards and improve access to education (Singapore);**

84.99. **Expedite its work on policy formulation on inclusive education with particular focus on girls (Sri Lanka);**

84.100. **Enshrine the right to education in its Constitution and allow pregnant girls to pursue their education in schools of their choice (Timor-Leste);**

84.101. **Ensure that pregnant girls and young mothers have the opportunity to continue their education (Slovenia);**

84.102. **Further increase inputs in education and further improve school enrolment rate (China);**

84.103. **Continue to boost its well-established education policies which guarantee a quality education system for all (Venezuela (Bolivarian Republic of));**

84.104. **Continue the elaboration of the National Disability Policy and ensure effective implementation in line with the Convention on the Rights of Persons with Disabilities, and accede to the Optional Protocol to the Convention (Germany);**

84.105. **Continue its efforts to promote and protect all human rights, in particular those of persons with disabilities (Portugal);**

84.106. **Strengthen policies on accessibility to ensure that persons with disabilities can enjoy their rights (Spain);**

84.107. **Continue to take into consideration the adverse impacts of climate change on people's access to food and clean water, particularly the most vulnerable sectors of society (Philippines);**

84.108. **Consider strengthening the positive impact expected from the Kiribati Joint Implementation Plan on Climate Change and Disaster Risk Management on human rights through training of relevant stakeholders on human rights approaches to climate change and disaster risk management (Solomon Islands);**

84.109. **Continue its leadership role and advocacy with the international community, including through the Coalition of Low Lying Atoll Nations on Climate Change and the Alliance of Small Island States, on the need for ambitious and binding targets for greenhouse gas emissions in order to mitigate the negative effects of climate change on human rights (Fiji);**

84.110. **Continue its mainstreaming of climate change adaptation across developmental activities with the assistance of the international community (Fiji);**

84.111. **Pay attention to the effects of climate change on environment and social development (China);**

84.112. **Cooperate with United Nations agencies, regional bodies and development partners in building capacities, training and exchanging human rights expertise and experiences with other Pacific Island countries (Israel);**

84.113. **Request technical assistance from the United Nations programmes, funds and bodies to comply with the commitments made in terms of human rights such as the presentation of reports, and the drafting of plans and programmes to strengthen human rights (Mexico);**

84.114. **Intensify efforts to secure support and assistance from the international community in pursuing its climate change adaptation and mitigation plans (Philippines);**

84.115. **Seek technical assistance from relevant United Nations agencies in order to better implement its international human rights obligations (Sierra Leone).**

85. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English only]

Composition of the delegation

The delegation of Kiribati was headed by the Minister for Women, Youth and Social Affairs, Honorable Tangariki Reete, and composed of the following members:

- Honorable Titabu Tabane, Attorney General;
- H.E. Makurita Baaro, Ambassador of Kiribati to the United Nations in New York;
- Mr. Moote Korina Anata, Deputy Secretary for Ministry for Women, Youth and Social Affairs;
- Mr. Teurakai Ukenio, Child Protection Officer;
- Mrs. Anne Kautu, Senior Women Development Officer;
- Ms. Tarema Henry, Desk Officer for Multilateral Affairs, Permanent Mission of Kiribati to the United Nations in New York.